

Sections 1—8.

ACT V OF 1866.

Notification by the Government of India, Foreign Department, Judicial, No. 106, dated Fort William, the 15th April 1868.

His Excellency the Governor-General in Council is pleased to declare that the provisions of Act V of 1866 (being an Act to provide a summary procedure on Bills of Exchange and to amend in certain respects the commercial Law of British India), are applicable to the Mysore Territory.

2nd. Under Section 8 of the aforesaid Act, the provisions of Sections 2 to 7, both inclusive, of that Act shall be held to apply to the Court of the Deputy Superintendent of the Bangalore District.

(RECEIVED THE ASSENT OF THE GOVERNOR-GENERAL ON THE 23RD FEBRUARY 1866.)

An Act [a] to amend in certain respects the Commercial Law of British India.

Preamble.

[b] Whereas inconvenience is felt by persons engaged in trade by reason of the laws of British India being in some particulars different from those of England in matters of common occurrence in the course of such trade; and whereas, with a view to remedy such inconvenience, it is expedient to amend the laws of British India as hereinafter mentioned; It is enacted as follows:—

Interpretation clause.

1. In this Act, unless there be something repugnant in the subject or context,—

"British India."

"British India" shall mean the territories which are or may become vested in Her Majesty or Her successors by the Statutes 21 and 22 Vic., cap. 106 (*An Act for the better Government of India*).

[*Interpretation-clauses of "High Court" and "Local Government."*] Repealed by Act of X of 1877.

2. [*Form of plaint and summons in summary suits upon bills of exchange.*] Repealed by Act X of 1877.

3 to 7. [*Procedure in such suits.*] Repealed by Act X of 1877.

8. [*Local Government may extend Act.*] Repealed by Act X of 1877.

(a)—(b) Certain words which were repealed by Act X of 1877 have been omitted.

Sections 9—15.

9. 10. [*Guarantees.*] *Repealed by Act IX of 1872.*

11. No acceptance of any Bill of Exchange, whether Inland or Foreign, made after the first day of May 1866, shall be sufficient to bind or charge any person, unless the same be in writing on such Bill, or, if there be more than one part of such Bill, on one of the said parts, and signed by the acceptor or some person duly authorized by him.

Acceptance
of bills to be
in writing
and signed.

12. Every Bill of Exchange or Promissory Note drawn or made in any part of British India, and made payable in or drawn upon any person resident in any part of British India, shall be deemed to be an Inland Bill, but nothing herein contained shall alter or affect the stamp duty, if any, which, but for this enactment, would be payable in respect of any such Bill or Note.

What deemed
"inland
bills."

13. Protest of a Bill of Exchange, whether Inland or Foreign, when purporting to be made by a Notary Public, shall be *prima facie* evidence that the Bill has been dishonoured.

Protest by
Notary
Public to be
prima facie
evidence of
dishonour.

14. [*Suits on lost negotiable instruments.*] *Repealed by Act X of 1877.*

15. Every assignee, by endorsement or otherwise, of a policy of marine insurance or of a policy of insurance against fire, in whom the property in the subject insured shall be absolutely vested at the date of the assignment, shall have transferred to and vested in him all rights of suit as if the contract contained in the policy had been made with himself.

Rights under
marine and
fire-policies
to vest in
assignees.

SCHEDULE.

[*Repealed by Act X of 1877 as amended by
Act XII of 1879.*]